



UNITED STATES PATENT AND TRADEMARK OFFICE

 COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
 www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 10/008,599 | 12/03/2001 | Dmitry Ponomarenko | BKE-004 |

CONFIRMATION NO. 2470

 021323
 TESTA, HURWITZ & THIBEAULT, LLP
 HIGH STREET TOWER
 125 HIGH STREET
 BOSTON, MA 02110

FORMALITIES LETTER



OC000000007357213

Date Mailed: 01/24/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.
Applicant must submit \$ 370 to complete the basic filing fee for a small entity.
- o Total additional claim fee(s) for this application is \$564.
 - \$522 for 58 total claims over 20.
 - \$42 for 1 independent claims over 3.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 999.**

A copy of this notice MUST be returned with the reply.

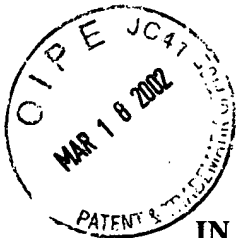
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

03/21/2002 CV0111 00000126 10008599

| | |
|-----------|-----------|
| 01 FC:201 | 370.00 OP |
| 02 FC:202 | 42.00 OP |
| 03 FC:203 | 522.00 OP |
| 04 FC:205 | 65.00 OP |



COPY OF PAPERS
ORIGINALLY FILED

PATENT
Attorney Docket No. BKE-004

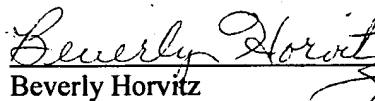
MP\$
#3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Ponomarenko
SERIAL NO.: 10/008,599 GROUP NO.: 2121
FILING DATE: December 3, 2001 EXAMINER: Not Yet Assigned
TITLE: OPTICAL MULTI-GATE DEVICE AND METHOD

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to the Assistant Commissioner for Patents, Washington, DC 20231 on this 8th day of March, 2002.

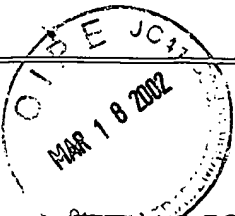

Beverly Horvitz

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

1. Transmittal Form (1 page)
2. Fee Transmittal (1 page)
3. Check in the amount of \$999.00
4. Part 2-Copy of Notice to File Missing Parts
of Nonprovisional Application
5. Return Receipt Postcard



TRANSMITTAL
FORM

| | |
|---------------------------|------------------|
| Application Serial Number | 10/008,599 |
| Filing Date | December 3, 2001 |
| First Named Inventor | Ponomarenko |
| Group Art Unit | 2121 |
| Examiner Name | Not Yet Assigned |
| Attorney Docket No. | BKE-004 |
| Patent No. | Not applicable |
| Issue Date | Not applicable |

ENCLOSURES (check all that apply)

| | | |
|---|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____] <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form PTO-1449 <input type="checkbox"/> Copies of IDS Citations <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above | <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553) <input type="checkbox"/> Formal Drawing(s) <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> CD(s) for large table or computer program <input type="checkbox"/> Amendment After Allowance <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate) | <input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences <input type="checkbox"/> Appeal Brief (in triplicate) <input type="checkbox"/> Status Inquiry <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8 <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8 <input type="checkbox"/> Additional Enclosure(s) (please identify below) |
|---|---|---|

| | |
|---|--|
| CORRESPONDENCE ADDRESS | SIGNATURE BLOCK |
| Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100 | Respectfully submitted, Date: March 8, 2002 Reg. No. 45,054 Tel. No.: (617) 248-7376 Fax No.: (617) 248-7100 Jamie H. Rose Attorney for Applicants Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 |

FEE TRANSMITTAL FY 2002

MAR 18 2002

Complete if known

| | |
|---------------------------|------------------|
| Application Serial Number | 10/008,599 |
| Filing Date | December 3, 2001 |
| First Named Inventor | Ponomarenko |
| Group Art Unit | 2121 |
| Examiner Name | Not Yet Assigned |
| Attorney Docket No. | BKE-004 |

METHOD OF PAYMENT

- ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other
- ☐ The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 20-0531.
☐ Required Fees (copy of this sheet enclosed).
☒ Additional fee required under 37 CFR 1.16 and 1.17.
☒ Overpayment Credit.
- ☒ Applicant claims small entity status.

FEE CALCULATION

1. FILING FEE

| Large Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|------------------------|----------|
| 740 | Utility filing fee | 740.00 |
| 330 | Design filing fee | |
| 160 | Provisional filing fee | |

| | Number Filed | Number Extra | Rate | Amount |
|--------------------|--------------|--------------|--------------|----------|
| Total Claims | 78 | - 20 = 58 | x \$ 18.00 = | 1,044.00 |
| Independent Claims | 4 | - 3 = 1 | x \$ 84.00 = | 84.00 |

☐ Multiple Dependent Claim(s), if any \$280.00 =

TOTAL: 1,868.00

SMALL ENTITY DISCOUNT: 934.00

SUBTOTAL (1) (\$) 934.00

2. AMENDMENT CLAIM FEES

| Claims Remaining After Amend. | Highest No. Previously Paid For | Present Extra | Rate | Fee Paid |
|--|---------------------------------|---------------|--------------|----------|
| Total | - | = | x \$ 18.00 = | |
| Indep. | - | = | x \$ 84.00 = | |
| <input type="checkbox"/> First Presentation of Multiple Dep. Claim | | | + \$280.00 = | |

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$)0

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Large Entity Fee (\$) | Small Entity Fee (\$) | Fee Description | Fee Paid |
|-----------------------|-----------------------|--|----------|
| 130 | 65 | Surcharge - late filing fee or oath | 65.00 |
| 50 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 130 | 130 | Non-English specification | |
| 2,520 | 2,520 | Request for ex parte reexamination | |
| 110 | 55 | Extension for reply within first month | |
| 400 | 200 | Extension for reply within second month | |
| 920 | 460 | Extension for reply within third month | |
| 1440 | 720 | Extension for reply within fourth month | |
| 1960 | 980 | Extension for reply within fifth month | |
| 320 | 160 | Notice of Appeal | |
| 320 | 160 | Filing a brief in support of an appeal | |
| 280 | 140 | Request for oral hearing | |
| 130 | 130 | Petitions to the Commissioner | |
| 180 | 180 | Submission of Information Disclosure Statement | |
| 740 | 370 | Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 740 | 370 | For each additional invention to be examined (37 CFR 1.129(b)) | |
| 100 | 100 | Certificate of Correction for applicant's error | |

Other fee (Specify)

Other fee (Specify)

SUBTOTAL (3) (\$) 65.00

SUBTOTAL (1) 934.00

SUBTOTAL (2) 0

SUBTOTAL (3) 65.00

TOTAL (\$) 999.00

CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower-125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

Date: March 8, 2002
Reg. No.: 45,054
Tel. No.: (617) 248-7376
Fax No.: (617) 248-7100

Jamie H. Rose
Attorney for the Applicants
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